Ethics and Social Media

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Why does this topic matter?

- Ubiquitous – ever growing force in society
- Growing use/implementation in variety of VR settings
- Consumer use
- Employer use
- Personal implications

Session Overview

- Risks and benefits inherent in social media use
- Informed consent and professional disclosure issues surrounding use of Internet technologies
- Boundary/therapeutic relationship issues to consider when engaging in social media use
- CRCC updates since the last code release
- Relevant enforceable standards from the Code
- The personal/professional continuum of social media use
- Talking to consumers about electronic communication restrictions
- Taking control of your information

Aspirational Principles

- Main three involved
  - Beneficence
  - Nonmaleficence
  - Autonomy
- CRCC does not strictly prohibit use

CRCC (2011) Webinar FAQ/Advisory Opinion Update

- Q: What is CRCC's opinion regarding the use of social media (Twitter, Facebook, etc.) in the counseling relationship?

- Advisory opinions and webinar FAQ updates can be found here:
  - http://www.crccertification.com/pages/advisory_opinions/129.php

CRCC (2011) FAQ/Update

- Emerging issue requiring additional exploration and monitoring
- Policy development
- Know how the various sites operate
- Disclosure and informed consent
- Difference between 'counseling' and 'communicating'
- Proper encryption
- Site controls and maintenance of professional boundaries
- (A.3.a, A.3.b, A.5.d, Section J)

Four themes to consider

- Benefits must outweigh risks
  - Foreseeable risks must be anticipated
- Initial and ongoing professional disclosure crucial
- Consumer consent
- Blurring of boundaries and impact on the therapeutic relationship

Benefits of Social Media

- Over 1,000,000,000 users can't be wrong
- Networking vital aspect of job placement
  - Expanded employment network
  - Heightened importance and risk in rural environments
- Single ongoing point of contact
  - 'Cold case' tracking/caseload attrition
- Social profiles as professional resume
- Risks and considerations follow for remainder of presentation

What benefits do you see from social media use?

- Personally?
- Professionally?

Knowledge of site

- J.1.a.: Application and competence
- Facebook example
  - Privacy controls
  - History of unintended disclosure of private communication
  - Privacy policy
    - Facebook's privacy policy: 5,830 words
    - 50 privacy buttons with 170 options
    - 45,000 word privacy 'FAQ'
      - http://www.nytimes.com/2010/05/13/technology/personaltech/13basics.html

MAIN FACEBOOK ACCOUNT PAGE

SETTINGS PAGE

FACEBOOK ADS PAGE

■ WEB PAGE ON FACEBOOK
☐ SUBCATEGORY
■ **PRIVACY SETTING OPTION**

PRIVACY SETTINGS PAGE

SUBCATEGORIES INCLUDE:

PERSONAL INFORMATION	CONTACT INFORMATION	FRIENDS, TAGS, CONNECTIONS	APPLICATIONS AND WEB SITES	SEARCH	BLOCK LIST
bio, posts, photo albums	phone numbers, e-mail and physical addresses	family, friends, activities and interests	Facebook-enhanced Web sites	Facebook or public search results	Blocked individuals

Facebook or third-party ads

PHOTOS

■■■■■☐ — Each photo album created has its own settings

PERSONALIZED ADS Two additional settings not visible in the Privacy tab allow you to control how your information is shared and used with Facebook ads and third-party ads.

FRIENDS SHARING YOUR INFORMATION Even if you have changed all of your personal settings to private on Facebook, this tab allows your friends, even without their knowledge, to share your name, profile picture, gender and more with third-party Web sites and applications.

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Trend Data: American Adults

- Search for info about someone you know or might meet: 69%

- Visit a local, state or federal government website: 67%

- Use a social networking site like Facebook, LinkedIn or Google Plus: 66%

- Look online for info about a job: 56%

- Rate a product, service or person using an online rating system: 37%

- Post a comment or review online about a product you bought or a service you received: 32%

  - *Pew Internet & American Life Project (2012) http://pewinternet.org/Trend-Data-(Adults)/Online-Activites-Total.aspx

Awareness of online presence

- Aware of your own online presence
  - Test what others can see
- Importance of consumers monitoring their own online presence
- Loss of control: 'Friends' sharing your information
- Solicit 'expert' help
- Blending of professional and personal
- Loss of control of traditional disclosure

Discuss with Consumers

- How Internet impacts job search
- How Internet activities can impact employment
- Monitoring and implications of online 'footprint'
- Web page archiving
- Unintended disclosure

- *Jekyll and Hyde strategy

Google   Matthew Markve   0   + Share

Alerts

Search query: [   ]

Result type: Everything ▾

How often: Once a day ▾

How many: Only the best results ▾

Deliver to: matthew.markve@gmail.com ▾

CREATE ALERT   Manage your alerts

Monitor the Web for interesting new content

Google Alerts are email updates of the latest relevant Google results (web, news, etc.) based on your queries.

Enter a search query you wish to monitor. You will see a preview of the type of results you'll receive. Some handy uses of Google Alerts include:

- monitoring a developing news story
- keeping current on a competitor or industry
- getting the latest on a celebrity or event
- keeping tabs on your favorite sports teams

Manage your alerts - Google Alerts Help - Terms of Use - Privacy Policy - Google Home - © 2011 Google

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Current State of Professional Use in State Agencies

- VR State Agency: Variance in implementation and policy
  - Job posting, listing
  - Community outreach
  - Consumer networking
  - Consumer monitoring (individual counselors)

Dialogue:

- Is it ethical to 'google' consumers?

Considerations: Duffy (2012)

- Is it ethical to conduct an online search on a client without the client's knowledge?
- Without the client's informed consent?
- If counselor's Google their clients with neither the client's knowledge or consent, must they inform the clients after they have Googled them?
- If counselors find clinically significant info on their clients via online searches, do they have to tell clients what they have discovered?
- How do you document online searches of clients? Are the results part of the client's file?

CRCC (2011) Guidance

Q: How should RC address information gained about a client that was obtained in a nonprofessional setting that would be important to the counseling process but the client has purposely not brought to the attention of the RC? Would it be unethical to bring up the information in a later session, given that the info was obtained outside of the formal counseling environment?

CRCC (2011) Response:

- A.3.a: Professional disclosure
- Info obtained outside counseling should be discussed with client next session
  - Address limits of confidentiality in the initial professional disclosure process

Applicant Screening

- "Employer practices might constitute another form of pre-employment testing, one in which job applicants do not even know they are being screened and rehabilitation counselors should be aware of how these practices could be used to discriminate against people with disabilities" (Lehmann, 2009).

Employer/Personal Profile Snooping

- Employer screening
  - Cases of employers demanding access to prospective hires passwords
    - (ACLU)
    - State of Maryland now illegal
  - Practice is still occurring
    - Consumers may feel pressured to comply in job environment

Dialogue:

- Is it ethical to have a client as a Facebook 'friend'?

'Friend' Requests

- "Many – if not most- psychotherapists and counselors cringe at the idea and dread the moment when a client presents a Facebook Friend Request. They wonder whether it is ethical to accept such a request, and they are concerned with the clinical and relational ramifications of ignoring it" (Zur, 2011).

Personal and Professional Roles

Implications of Responses?

- Block and ignore
- Ignore with no follow-up
- Deny with explanation
- Accept with explanation

Personal or Professional

- Client perception of the action
- Disclosure
- Type of account: Continuum of risk
  - Personal
  - Professional
  - Organizational
- Monitoring
  - Control over postings/monitoring private correspondence

Professional Twitter Account

Big Ben
@big_ben_clock
Established November 2009. Entirely unofficial & apparently imitated everywhere. Copyright details here:
tinyurl.com/ylqbey3.
Up a tower.

  Following

26,132 TWEETS

0 FOLLOWING

351,327 FOLLOWERS

Tweet to Big Ben

@big_ben_clock

Tweets ›

Following ›

Followers ›

Favorites ›

Lists ›

Similar to Big Ben ›

Lutherkirche PS @lutherkirche_ps

Tweets

Big Ben @big_ben_clock — 57m
BONG BONG BONG BONG BONG BONG BONG BONG
Expand

Big Ben @big_ben_clock — 1h
BONG BONG BONG BONG BONG BONG BONG
Expand

Big Ben @big_ben_clock — 2h
BONG BONG BONG BONG BONG BONG
Expand

Big Ben @big_ben_clock — 3h
BONG BONG BONG BONG BONG
Expand

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Internet Boundaries

- J.12.c.: Boundaries
  - RCs discuss and establish boundaries with clients, family members, service providers, and/or team members regarding the appropriate use and/or application of technology and the limits of its use within the counseling relationship

Dialogue:

- So...How do you set appropriate boundaries with consumers regarding social media/electronic communication?

Boundaries in electronic communication

- Personal phone/texting
- Personal email
- Facebook/other social media

- Running into someone in public (confidentiality)
- Public published phone number (boundaries)

Models of communication

- J.3.a: Transmitting confidential information
- Minimal Information (next two slides stolen from Montana presentation)

Example of BAD communication

Hi Jim Smith!

You forgot your Voc Rehab appointment. I wanted to talk with you about your medication. Call me at 555-1212.

Barb Schiedermayer

Example of GOOD Communication

Hi Jim!

Did you forget your appointment? Please call to reschedule. Look forward to seeing you.

Barb S

Professional Technology Considerations

- Section J in entirety
- J.1.b. update from CRCC:
  - Q: Define "behavioral differences with the use of the internet"?
  - A: When engaged in distance counseling:
    - Visual cues and voice intonations not present in face-to-face

Professional Considerations

- CRCC (2011):   J.6.a: Records Management
  - Q: If a client requests a copy of their records, are electronic notes also a part of the client record?
  - A: Rehabilitation Counselors must be aware that electronic messages are a part of the client record

- Do you make these notes a part of the official electronic record?

How to respond? (Nicholson, 2009)

- Utilize highest privacy settings
- Proactive information control – information on professional website
- May not be perceived as boundary issue to consumer
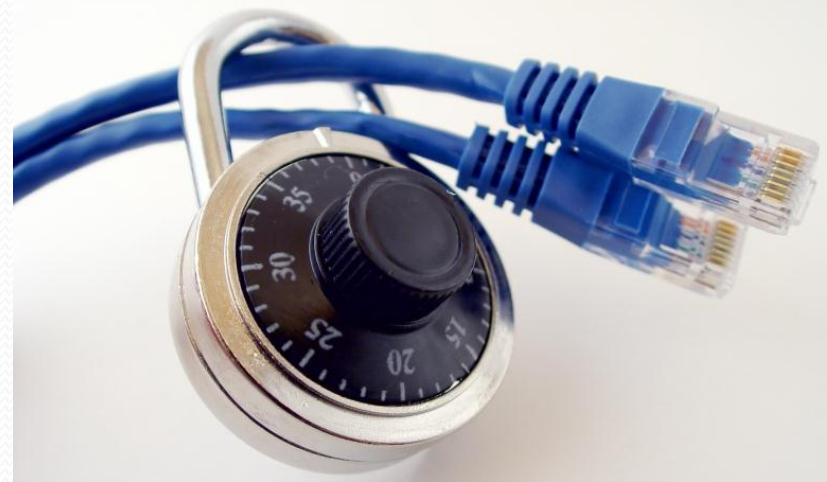
Privacy Settings

Control Privacy When You Post

You can manage the privacy of your status updates, photos and information using the inline audience selector — when you share or afterwards. Remember: the people you share with can always share your information with others, including apps. Learn more.

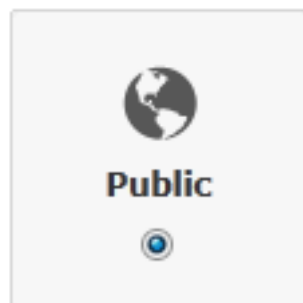The privacy of your next post is currently set to 🌐 **Public** :

What's on your mind?

👥 📍 San Francisco 🌐 Public ▾ **Post**

Your selection sticks around for your next post until you change it — either inline when you post, or here:
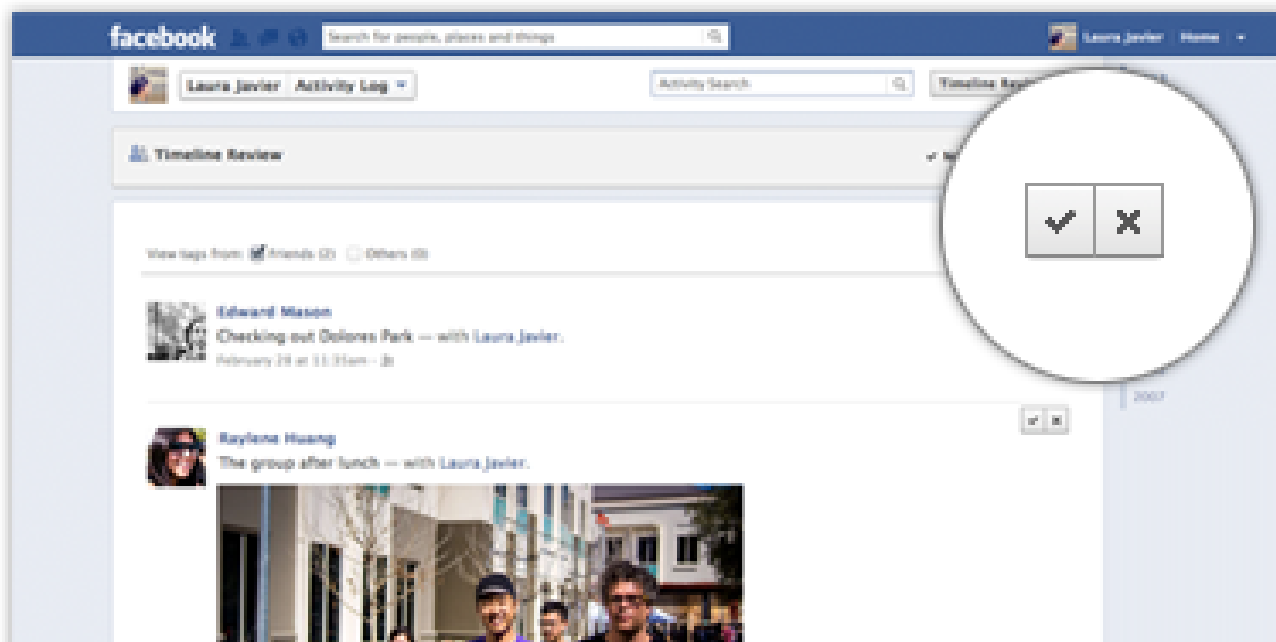
🌐 **Public** ⚫

👥 **Friends** ⚪

⚙️ **Custom** ⚪

Timeline Review

Timeline Review controls whether you have to manually approve posts you're tagged in before they go on your timeline. When you have a post to review, the Needs Review tab will appear on your timeline.

Enabled ▾

Note: You can still be tagged, and tags may appear elsewhere on Facebook.

Back

Tag Suggestions

When a photo that looks like you is uploaded, we'll suggest adding a tag of you. This helps save time when adding tags to photos, especially when labeling many photos from one event. Suggestions can always be ignored and no one will be tagged automatically.

Who sees tag suggestions when photos that look like you are uploaded?   No One ▼

Learn more   **Okay**

Timeline and Tagging

Who can post on your timeline?

👥 Friends ▾

Who can see what others post on your timeline?

👥 Friends ▾

Review posts friends tag you in before they appear on your timeline

On   >

Who can see posts you've been tagged in on your timeline?

👥 Friends ▾

Review tags people add to your own posts on Facebook

On   >

Who sees tag suggestions when photos that look like you are uploaded?

No One   >

Note: Settings apply to photos, status updates and other posts.

Done

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Choose Your Privacy Settings ▸ Manage Blocking

◀ **Back to Privacy**

Add friends to your Restricted list

When you add friends to your Restricted list they can only see the information and posts that you make public. Facebook does not notify your friends when you add them to your Restricted list. Edit List.

Block users

Once you block someone, that person can no longer be your friend on Facebook or interact with you (except within apps and games you both use and groups you are both a member of).

Name: [   ] **Block**

Email: [   ] **Block**

You haven't added anyone to your block list.

Questions for Consideration (Zur, 2011)

- What is on the profile?
- Is the profile professional or personal?
- Privacy controls?
- Context/nature of therapeutic relationship
- Who is the client?
- Client motivation for request
- Effect on other clients
- Confidentiality, privacy and legal considerations
- Does accepting constitute a multiple relationship?
- How will the response impact the therapeutic relationship
  - Adapted from (Zur, 2011)

Personal considerations

- Maintain confidentiality, watch what you post about work (or what you post)

- Assume that anything posted could become visible regardless of 'privacy controls' (illusion)

- Assume permanence of information once you submit

- Self-monitoring
  - Thoughtful consideration prior to posting
  - Thoughtful consideration prior to reacting

Bernie's Traffic Light Zones

Green Zone

- Class Mates
- Family & Relatives you like
- Co-Workers
- Business Associates
- Neighbors you trust & like
- Originations you are Involved with
- Fan Clubs
- Other Interest Areas:
- https://www.facebook.com/#!/pages/South-Dakota-Coalition-of-Citizens-with-Disabilities-Coalition/183208825109091

Yellow Zone

- Supervisors
- Past Consumers now co-workers
- Co-workers and Family you don't get along with

Red Zone

- Current Consumers
- Ex friends

Bernie's list of things to Avoid

- Posting pictures of new boyfriend while going through divorce (Facebook and cell phone logs are an attorney's best friends)
- Where you work if your wages may get garnished
- Telling the world you are going on vacation
- Making inappropriate racial, gender comments
- Talking about work
- Playing games on work time and being friends with your supervisor
- Giving your ex your password

'Friending' Co-workers

- How do you feel about 'friending' co-workers? Are there any potential ethical issues you can anticipate?

Co-worker relationships and social media

- H.3.a: Relationship boundaries with supervisees or trainees
- H.3.h.: Potentially beneficial relationships
- Resolution of work disputes:
  - D.5.a.: Disparaging remarks
  - E.1.b.: Questionable conditions
  - E.1.c: Employer policies
  - L.1.f: Organization conflicts
  - L.3.a: Informal Resolutions

'Friending' co-workers

- Bank intern (Lehmann, 2009)
- NLRB non profit social services ruling (2011)
  - Protected activities
    - Working conditions
  - Disparaging (vs. Wright line)
  - 'Nonworking time'

Non-protected online speech

- Critical of workplace tweet
  - Did not try to resolve with coworkers
  - Did not relate to terms and conditions of employment

Another example

- Employee comments on facebook about 'mentally disabled clients'
  - On the clock
  - Had former client as 'friend'
  - Conversing on wall with two other 'friends' about clients on the job

How supervisors have been alerted:

- Open profiles
- Closed profiles:
  - Co-workers or former clients as friends
    - Phone calls
    - Print outs (at times from multiple individuals)

Further considerations of use

- J.3: Confidentiality, Informed Consent and Security
  - J.3.c.: Security
    - Encryption
    - Strong passwords
  - J.3.d.: Imposters
- Plan for containment
- J.10: RC Unavailability
- State policy
- J.7.b: Laws and statutes

CRCC Social Media Policy (2012)

- Available online: http://www.crccertification.com/pages/social_media_policy/254.php
- Policy for CRC's interacting with CRCC related media platforms
  - Good guidelines to follow regardless of where you are posting
  - Reminded to check back regularly to ensure you are current with their policy

CRCC Social Media Policy (2012)

- Required to follow terms and conditions of sites you use
- Forbids defamation, harassment, discrimination and law violations
- Be:
  - Honest
  - Transparent
  - Truthful

CRCC Social Media Policy (2012)

- Be respectful of fellow professionals
- Share with caution
- Obey the law
- Add value
- Fix mistakes

Further Reading

- Facebook Privacy: A Bewildering Tangle of Options – Visual Representation of Privacy Settings
  - http://www.nytimes.com/interactive/2010/05/12/business/facebook-privacy.html?ref=personaltech
- Martin (2010) The Internet's ethical challenges
  - http://www.apa.org/monitor/2010/07-08/internet.aspx
- CRCC Code of Professional Ethics:
- Section A: The Counseling Relationship: A.3.a, A.3.b, A.5.d.
- Section J: Technology and Distance Counseling: J.1.a, J.1.b, J.1.c, J.2.a, J.3.a, J.3.b, J.3.c, J.3.d, J.6.a, J.10.a, J.10.b, J.10.c, J.12.a, J.12.b.